

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

CITIFINANCIAL, INC., Plaintiff, v. BROOKA F. STOKES, Defendant.)))) Civil Action No. 3:07 CV55-WHA))))
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**MOTION TO CONTINUE THE TIME FOR DEFENDANT TO FILE OPPOSITION TO
PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT**

COMES NOW, the Defendant, **Brooka F. Stokes**, by and through her undersigned counsel, pursuant to Rule 56 (f) of the Federal Rules of Civil Procedure, and moves this Court to Continue the time for the Defendant to file opposition to the Plaintiff's motion for summary judgment. In support thereof Mrs. Stokes would state as follows:

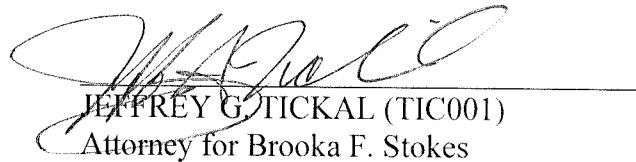
1. Citifinancial, Inc., the Plaintiff, is attempting to compel Arbitration based upon an Arbitration Agreement allegedly entered into between another entity, Citifinancial, LLC and Brook Stokes.
2. The underlying action upon which Citifinancial, Inc. is attempting to compel arbitration arises out of a transaction between Brook Stokes and Washington Mutual Finance a/k/a Citifinancial, Inc.
3. The undersigned has requested copies of the documents related to the Stokes/Washington Mutual Finance transaction, but has been informed that Counsel for the Plaintiff does not have the same in his possession.
4. In order to properly analyze and defend the Petition and Motion for Summary Judgment, it is necessary that time be given to the Defendant to obtain discovery directly related to that transaction. This discovery would be limited to the documents themselves and not to the activities made the basis of the underlying action.
5. It is quite possible that another type of dispute resolution agreement was entered into between the parties at the time the Stokes/Washington Mutual Finance transaction was executed that is in conflict with the clause that Citifinancial, Inc. now relies.

6. Without this discovery the Defendant is unable to defend the Motion for Summary Judgment.

7. It is most likely that the information required would be provided under the Rule 26 (f) initial disclosures.

WHEREFORE THE PREMISES CONSIDERED, the Defendant would respectfully move that this Court continue the date to file opposition and allow Discovery related to the transactions between the parties.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing Motion upon the following by depositing a copy of the same in the United States Mail, postage prepaid and properly addressed on this the 29 day of March, 2007.

Alan D. Leeth, Esq.
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